



National Park Service
U.S. Department of the Interior

Wilson's Creek
National Battlefield

6424 West Farm Road 182
Republic, MO 65738

Superintendent's Compendium
Of Designations, Closures, Permit
Requirements and Other Restrictions
Imposed Under Discretionary Authority.

417-732-2662 phone
417-732-1167 fax

Approved: March 10, 2017

T. John Hilder Jr., Superintendent

A. INTRODUCTION

1. Superintendent's Compendium Described

The Superintendent's Compendium is the summary of park specific rules implemented under 36 Code of Federal Regulations (36 CFR). It serves as public notice, identifies areas closed for public use, provides a list of activities requiring either a special use permit or reservation, and elaborates on public use and resource protection regulations pertaining specifically to the administration of the park. The Superintendent's Compendium does not repeat regulations found in 36 CFR and other United States Code and CFR Titles, which are enforced without further elaboration at the park level.

The regulations contained in 36 CFR, Parts 1-7, are the basic mechanism used by the National Park Service (NPS) to preserve and protect the natural and cultural resources of the park and to protect visitors and property within the park. Parts 1 through 6 are general regulations applicable to all areas of the National Park system, and Part 7 contains special regulations specific to individual parks. Each of these Parts has many sections and subsections articulating specific provisions. Within some of these Part 1-7 sections and subsections, the Superintendent is granted discretionary authority to develop local rules to be responsive to the needs of a specific park resource or activity, park plan, program, and/or special needs of the general public.

As an example, 36 CFR 1.5(a) *Closures and Public Use Limits* provides the Superintendent certain discretion in allowing or disallowing certain activities. The authority granted by the Section, however, requires the Superintendent to comply with the Administrative Procedures Act (6 USC Section 551), which requires public notice on actions with major impact on visitor use patterns, park resources or those that are highly controversial in nature.

Another example is 36 CFR 1.6 *Permits*, which allows the Superintendent to require a permit for certain uses and activities in the park. This Section, however, requires that a list of activities needing a permit (and a fee schedule for the various types of permits) be maintained by the park.

A final example is 36 CFR 2.1(c) (1) *Preservation of Natural, Cultural and Archeological Resources*, which provides the Superintendent the authority to designate certain fruits, nuts, berries or unoccupied seashells which may be gathered by hand for personal use or consumption. This activity can occur, however, only if a written determination shows that the allowed activity does not adversely affect park wildlife, the reproductive potential of a plant species, or otherwise adversely affect park resources.

This Compendium should be used in conjunction with Title 36 CFR, Parts 1-7, to more fully

impaired, than that Superintendent is obliged to place limitations on public use.

3. Consistency of This Compendium with Applicable Federal Law and Requirements

The Superintendent's Compendium is not considered a significant rule requiring review by the Office of Management and Budget under Executive Order 12866. In addition, this Compendium will not have a significant economic effect on a number of small entities nor impose a significant cost on any local, state or tribal government or private organization, and therefore does not fall under the requirements of either the Regulatory Flexibility Act or the Unfunded Mandates Reform Act.

The actions and requirements described in this Compendium are found to be categorically excluded from further compliance with the procedural requirements of the National Environmental Policy Act (NEPA) in Department of the Interior (DOI) Guidelines 516 DM 6 and as such, an Environmental Assessment will not be prepared.

4. Development of the Requirements of the Superintendent's Compendium

As outlined above, the NPS has broad authority and responsibility to determine what types of uses and activities are appropriate in any particular National Park System area. The requirements of the Superintendent's Compendium are developed through an analysis and determination process. The decision criteria used during this process are:

- Is there use or activity consistent with the NPS Organic Act and NPS policy?
- Is the use or activity consistent and compatible with the park's enabling legislation, management objectives, and corresponding management plans?
- Will the use or activity damage the park's protected natural and cultural resources and other protected values?
- Will the use or activity disturb or be in conflict with wildlife, vegetation, and environmental protection actions and values?
- Will the use or activity conflict with or be incompatible with traditional park uses and activities?
- Will the use or activity compromise employee or public safety?

5. Applicability of the Compendium

The rules contained in this Compendium apply to all persons entering, using, visiting or otherwise present on Federally owned lands, including submerged lands, and waters administered by the NPS within the legislative boundaries of the park. This includes all waters subject to the jurisdiction of the United States, including all navigable waters.

6. Enforcement of Compendium Requirements

NPS Law Enforcement Park Rangers enforce the requirements of the United State Code, 36 CFR, and this Superintendent's Compendium.

7. Penalties for Not Adhering to the Compendium Requirements

A person who violates any provision of the regulations found in 36 CFR, Parts 1-7, or provisions of this Compendium, is subject to a fine as provided by law (18 U.S.C. 3571) up to \$5,000 for individuals and \$10,000 for organizations, or by imprisonment not exceeding six months (18 U.S.C. 3559), or both, and shall be adjudged to pay all court costs associated with any court proceedings. You may receive a list of fines associated with any particular provision by contacting the Chief Ranger at the park address found below.

8. Comments on the Compendium

4.10	TRAVEL ON PARK ROADS AND ROUTES.....	13
4.21	SPEED LIMITS.....	13

APPENDIX:

1. Map of First Amendment Areas
2. Map of Areas Closed to Public Use

I. 36 CFR §1.5 – VISITING HOURS, PUBLIC USE LIMITS, CLOSURES, AND AREA DESIGNATIONS FOR SPECIFIC USE OR ACTIVITIES

(a)(1) The following visiting hours and public use limits are established for all or for the listed portions of the park, and the following closures are established for all or a portion of the park to all public use or to a certain use or activity:

Visiting Hours:

- General park hours are listed below:

Winter Hours: 6:30 am to 5:00 pm (October 15 to March 14)

Spring Hours: 6:30 am to 7:00pm (March 15 to May 14)

Summer Hours: 6:30am to 8:00pm (May 15 to August 14)

Fall Hours: 6:30 am to 7:00pm (August 15 to October 14)

Public Use Limits:

- Equestrian parking in designated areas only.
- Winter activities are prohibited at the Ray House, Bloody Hill, and the area around the Visitor Center.
- The public entry point for the park is the main park entrance located at 6424 Farm Road 182
- The use of bicycles on the park tour road is confined to the designated lane except when passing a pedestrian or another bicycle. Bicycles must travel in the same direction as motor vehicles on the Tour Road.

Closures:

- The park is closed on the following Federal holidays: Thanksgiving Day, Christmas Day, and New Year's Day.

-The park is closed in observance of the above listed holidays. Park personnel are not available on these holidays to provide for public safety, resource protection, and visitor services.

- Launching, landing, or operating an unmanned aircraft from or on lands and waters administered by the National Park Service within the boundaries of Wilson's Creek National Battlefield is prohibited except as approved in writing by the superintendent.

- Recreational activities such as throwing flying discs, ball games or sport activities are permitted only in the lawn area of the picnic area.
- Kite flying is prohibited.

-Restrictions are necessary due to the incompatibility of these activities with the memorial qualities and cultural landscape of the park.

- Power Driven Mobility Devices (PDMD): A PDMD is a mobility device powered by electricity or batteries, whether or not designed to be used primarily by individuals with mobility disabilities. Every PDMD shall be equipped with the following safety devices:
 - Front, rear and side reflectors
 - A system that enables the operator to bring the device to a controlled stop
 - A sound emitting device that can be activated by the operator to alert nearby persons.
- Using a PDMD by persons without mobility impairments is prohibited.
- Use of PDMDs is permitted under the following conditions:
 - Operators must be age 16 or older.
 - Maximum speed is 5 mph.
 - The device cannot exceed 36 inches in width at its widest point.
 - PDMD use is prohibited in undeveloped areas.
 - Operators of PDMDs shall have the responsibilities applicable to a pedestrian under the same circumstances; except the PDMD operator shall yield to pedestrians.

-PDMDs provide a reasonable alternative to persons with mobility disabilities. PDMDs are permitted in developed areas where pedestrian access is allowed. The determinations are to enhance visitor safety

The following restrictions and/or conditions are in effect for the specific uses or activities noted:

Food and Beverages:

-Open containers of food or drink shall not be permitted in the Ray House, library, curatorial areas, and public portions of the visitor center (except at special events in which food and beverage are part of the event).

Consumption is prohibited to protect the historic objects housed in these facilities.

II. 36 CFR §1.6 – ACTIVITIES THAT REQUIRE A PERMIT

For permit information contact:

Chief Ranger's Office
Wilson's Creek National Battlefield
6424 West Farm Road 182
Republic, MO 65738
Phone: 417-732-2662 extension 225

- §4.11(a) Exceeding of established vehicle load, weight and size limits
- §5.1 Advertisements - (Display, posting or distribution.)
- §5.2(b) Sale of intoxicants on private lands.
- §5.3 Engaging in or soliciting any business (Requires a permit, contract or other written agreement with the United States, or must be pursuant to special regulations).
- §5.5 Commercial Photography/Filming:
 - (a) Commercial filming of motion pictures or television involving the use of professional casts, settings or crews, other than bona fide newsreel or news television
 - (b) Still photography of vehicles, or other articles of commerce or models for the purpose of commercial advertising.
- §5.6(c) Use of commercial vehicles on park area roads (The superintendent shall issue a permit to access private lands within or adjacent to the park when access is otherwise not available)
- §5.7 Construction of buildings, facilities, trails, roads, boat docks, path, structure, etc.
- §6.9(a) Operation of a solid waste disposal site

- Inside the provided containers behind the museum.
- As part of a living history interpretive demonstration.

Receptacles Allowed:

- Fire rings and grills provided by the park.

Established Conditions for Fires:

- Must be extinguished upon termination of use.

(a)(2) The following restrictions are in effect for the use of stoves or lanterns:

- May only be used in conjunction with living history events.

(b) Fires must be extinguished according to the following conditions:

- Immediately upon termination of use. Ashes and fire remains will be cooled to the touch.

36 CFR §2.14 – SANITATION and REFUSE

(b) Conditions for the disposal, containerization, or carryout of human body waste have been established as follows:

- In non-developed area human waste must be removed from near trails or other visitor use areas and covered with soil or vegetation.

36 CFR §2.15 – PETS

(a)(1) The following structures and/or areas are closed to the possession of pets:

- All buildings (unless pet is a service animal).

(a)(5) Pet excrement must be disposed of in accordance with the following conditions:

- Should be removed from trails, paved areas, and developed areas by the person responsible for the pet.

(e) Pets may be kept by park residents under the following conditions:

- The park does not have residential housing.

36 CFR §2.16 – HORSES and PACK ANIMALS

(b) The use of horses or pack animals is allowed on the following trails, routes or areas:

- Ray Cornfield Trail, Wire Road, Southwest Boundary Trail, and Manley Uplands Trail.

36 CFR §2.52 – SALE OR DISTRIBUTION OF PRINTED MATTER

(e) Two areas have been designated for sale or distribution of public matter. The first is the paved patio area located between the visitor center and library wing. The second area is the visitor center lawn bounded by the visitor center walk to the first pavement marker, to the landscaping rocks, to the visitor center walk (excluding the display cannon in front of the visitor center).

36 CFR §3.21 – SWIMMING AND BATHING

(a)(1) The following areas are closed to swimming and bathing:

- Swimming and bathing is prohibited inside the park.

36 CFR §4.10 – TRAVEL ON PARK ROADS AND ROUTES

(a) Park roads, open for travel by motor vehicle are those indicated below, and/or as indicated in the following publication or document (attached hereto):

- The following roads are closed to the public:

- Visitor Center rear service area.
- Old waste water treatment plant.
- McElhaney House drive.

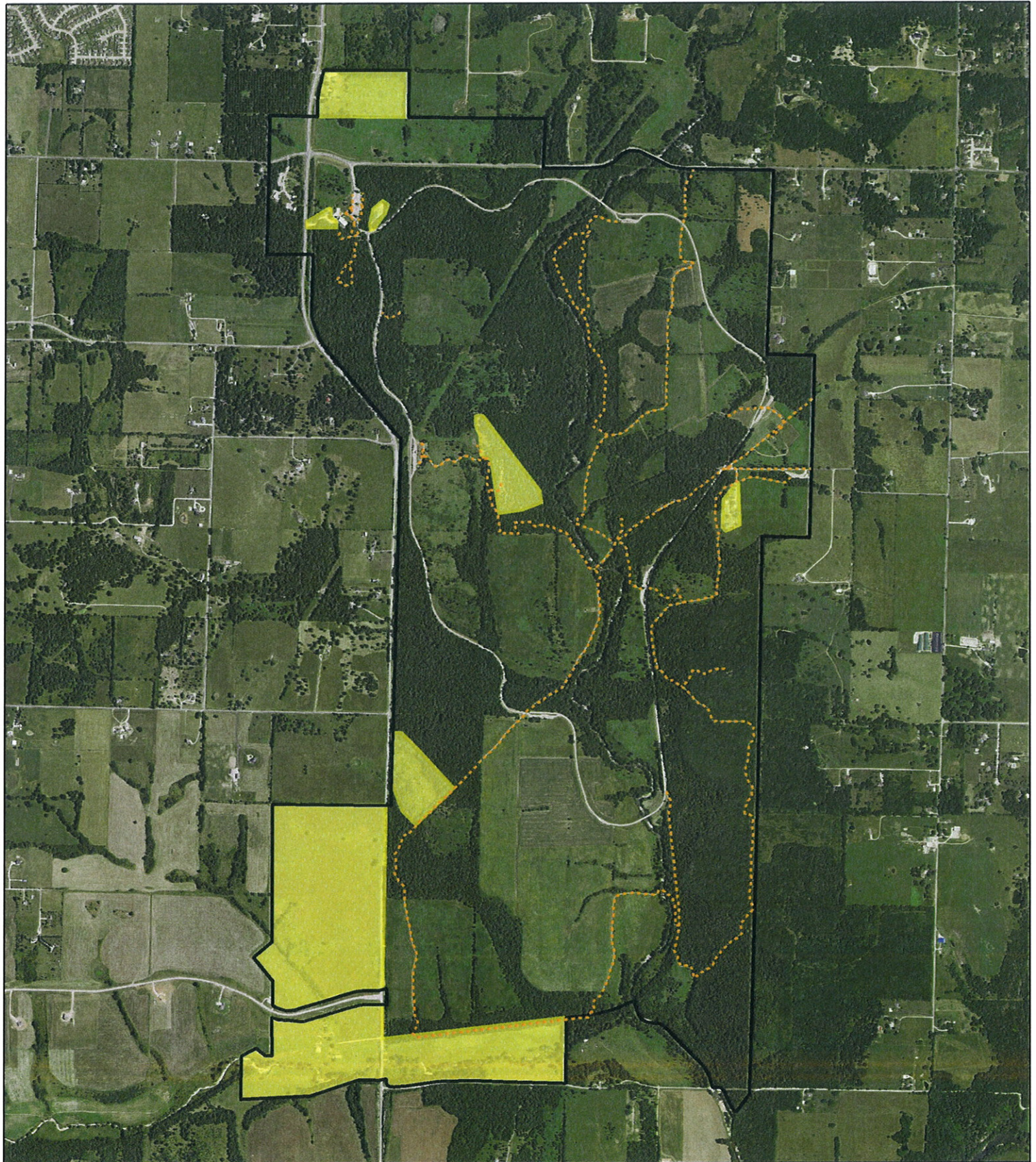
36 CFR §4.21 – SPEED LIMITS

(b) The following speed limits are established for the routes/roads indicated:

- 25 miles per hour on the tour road (excludes parking area).

-This speed limit is necessary to provide for public safety and is consistent with the purposes of which the park was established.

Wilson's Creek NB Closures



- Trails
- ▭ Park Boundary
- ▭ Areas Closed to the Public



0 0.25 0.5 1
Kilometers

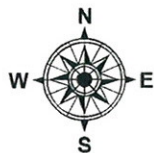
1:22,000

All NPS trails are open to the public

Wilson's Creek NB 1st Amendment Areas



1st Amendment Areas



0 10 20 40 60
Meters
1:1,500